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Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development

Written statement* submitted by the Asian Legal Resource Centre, a non-governmental organization in general consultative status

The Secretary-General has received the following written statement which is
circulated in accordance with Economic and Social Council resolution 1996/31.

[25 May 2018]

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- * This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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INDIA: Right to freedom of opinion and expression deteriorating

The Asian Legal Resource Centre (ALRC) along with its sister concern, the Asian Human Rights Commission (AHRC) wishes to bring the state of the right to freedom of opinion and expression in India to the Human Rights Council of the United Nations.

The ALRC is deeply concerned with the deteriorating climate for the freedom to voice one's opinion in India, especially when speaking up against the majoritarian, populist narrative or standpoint in the country. In the 2018 World Press Freedom Index, India dropped two more ranks to be placed at 138 out of 180 countries, a dismal rank for the so-called 'largest' democracy in the world. The reasons cited for this were manifold, but mainly the misuse of Section 124A of the Indian Penal Code which defines the offence of sedition, and one that has been severely misused to target journalists speaking out against injustice.

The murder of journalists was another major reason with the murder of Gauri Lankesh, the staunchly anti-right journalist in Bangalore, exposing starkly the fault lines in India's political and media landscape. Further, Reporters without Borders, while explicating on India's fall in the rankings, speaks of online smear campaigns against those who dare to speak up against right-wing and Hindutva ideologies and the difficulty and sometimes, near impossibility in reporting from conflict zones, such as Indian Administered Kashmir.

The ALRC places on record its deep anguish in the manner in which the Tamil Nadu State government and the Tuticorin police have handled protesters in Tuticorin, who were protesting the Sterlite copper plant of the Vedanta company, and the pollution caused by it. Protesting for the last 100 days, the protests turned violent and the police opened fire on the protesters, killing 11 and injuring many. According to People's Watch, human rights organisation in Tamil Nadu, the protest turned violent after the police firing, which was also by police in plain clothes. The gross inaction of the state government for over 3 months, failing to heed the protestor's concerns have resulted in this deplorable situation.

The people of India have a right to freedom of speech, opinion and expression, whether online, when reporting, or on the streets when protesting. The ALRC urges the UN Human Rights Council to engage with the Government of India to put an end to this hyper-nationalist and violent policing that is becoming the order the day, and urge the GOI and the state governments to engage peacefully and negotiate sincerely with protesters and others who are speaking out against injustice and demanding action.

